

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 23369 of 1996

Between:

Chellaboina Satyanarayana Murthy,

S/o Venkanna, Hindu, aged about 60 years, R.M.P. Doctor, R/o. Mogalthur Village
and Mandal, West Godavari District.

..... PETITIONER

AND

1. The Gram Panchayat, Mogalthur, Mogalthur Village and Mandal, West Godavari District, represented by its Executive Officer.
2. The District Medical and Health officer, West Godavari District, Eluru.
3. Kum.Bathula Durga Lakshmi Ratna Bharathi,

D/o Bathula Venkata Sathyanarayana Murthy,

R/o Sailipet, Mogalthur Village and Mandal,

West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction, more in the nature of Writ of Mandamus, directing the respondents 1 and 2, not to accord permission to the 3rd respondent for setting-up the flour mill within the residential area of Mogalthur village and Gram Panchayat contrary to Section 120 of A.P. Panchayat Raj Act, by declaring the inaction on the part of the 1st respondent in not taking action against the 3rd respondent for violating the orders of the 1st respondent dt.25-8-1996, as illegal, arbitrary, and unconstitutional, and contrary to law.

Counsel for the Petitioner:MR.C.RAMACHANDRA RAJU

Counsel for the Respondents 1 and 2: G.P. for Panchayat Raj

Counsel for the Respondent No.3: MR.K.SUBRAHMANYAM

The Court made the following:

ORDER:

Sri C.Ramachandra Raju, learned counsel, who appeared for the petitioner initially, gave up his vakalat in 1998, itself. In view of that, notice was directed to be served on the petitioner. Office sent notice to the petitioner on 03-11-2004 and the same was served on the petitioner on 08-11-2004. In spite of service of notice, neither the appearance is filed nor the petitioner is present before the Court. In fact, when the matter had come up for hearing on 11-02-2005, to give one more opportunity to the petitioner, the matter was adjourned to till date and today the name of the petitioner is printed. But, neither the petitioner is presented nor anybody represented in this case.

In view of the same, the writ petition is dismissed for non-prosecution. No costs.

(C.V.RAMULU, J)

Dated 18 February, 2005.

YCR

To

1. The Executive Officer, Gram Panchayat, Mogalthur, Mogalthur Village and Mandal, West Godavari District.
2. The District Medical and Health officer, West Godavari District, Eluru.
3. 2 C.D. copies.